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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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08/845,897

04/28/1997

M. ASHRAF IMAM

77897-US1

8846

26384 7590 02/19/2009
NAVAL RESEARCH LABORATORY
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EXAMINER

VO, HAI

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

02/19/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|---------------------------------|-------------|---|---------------------|
| 08845897 | 4/28/1997 | IMAM ET AL. | 77897-US1 |

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EXAMINER

Hai Vo

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| 1794 | 20090216 |
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Commissioner for Patents

In view of the 02/06/2009 Remand from the Board of Patent Appeals and Interferences (BPAI), the Examiner's Answer mailed February 8, 2008 is defective because the Akiyama reference (US 4,713,277) is missing from the Evidence Relied Upon Section. The PTO-90 form is deemed necessary to correct the deficiency. As such, the Akiyama reference is further added under the Evidence Relied Upon, paragraph (8) as follows:

4,713,277 AKIYAMA et al 12- 1987

A copy of the PTO-90 form is provided to the Applicants for convenience. The application is thus forwarded to the BPAI for decision on the appeal.

/Hai Vo/
Primary Examiner, Art Unit 1794